

1 IN THE UNITED STATES DISTRICT COURT  
2 FOR THE SOUTHERN DISTRICT OF FLORIDA

3 CASE NO.: 1:22-cv-24066-KMM

4 GRACE, INC., et al.,

5 Plaintiffs,

6 vs.

7 CITY OF MIAMI,

8 Defendant.

9 \_\_\_\_\_/  
10  
11 4343 W. Flagler Street  
12 Suite 400  
13 Miami, Florida  
14 Friday, 2:05 a.m.  
15 October 6, 2023

16 DEPOSITION

17 OF

18 LARRY SPRING

19  
20  
21 Taken on behalf of the Plaintiffs  
22 Pursuant to a Notice of Taking Deposition

23 ---  
24  
25

1  
2  
3  
4  
5  
6  
7  
8  
9  
10  
11  
12  
13  
14  
15  
16  
17  
18  
19  
20  
21  
22  
23  
24  
25

APPEARANCES:

ACLU FOUNDATION OF FLORIDA, by  
CAROLINE A. MCNAMARA, ESQ.,  
NICHOLAS L.V. WARREN, ESQ., and  
DANIEL B. TILLEY, ESQ., and  
On behalf of the Plaintiffs.

DECHERT, LLP, by  
CHRISTOPHER J. MERKEN, ESQ.,  
Co-Counsel for the Plaintiffs.

GRAY ROBINSON, by  
CHRISTOPHER N. JOHNSON, ESQ., and  
On behalf of the Defendant.

WITNESS

LARRY SPRING

Direct Examination (By Ms. McNamara)

3

1 THEREUPON:

2 LARRY SPRING

3 was called as a witness by the Plaintiffs and, having  
4 first been duly sworn, was examined and testified as  
5 follows:

6 THE WITNESS: Yes.

7 DIRECT EXAMINATION

8 BY MS. MCNAMARA:

9 Q. Can you state your name, for the record,  
10 please?

11 A. Larry Spring.

12 Q. And I'm Caroline McNamara. I'm doing the  
13 deposition. We already did all of the intros, so we can  
14 skip over that.

15 You said you have been deposed before?

16 A. Yes, I have.

17 Q. About how many times?

18 A. Too many to count, actually.

19 Q. Are those in this representative role for the  
20 City or --

21 A. A number of them, yes.

22 Q. Have you done them in a context other than in  
23 your role with the City of Miami?

24 A. My context has been City Manager in other  
25 cities.

1 Q. Okay. What is your job title?

2 A. I am the Chief Financial Officer and Assistant  
3 City Manager.

4 Q. And when did you start that job?

5 A. Most recently, June of 2022.

6 Q. Did you hold that job previously, before that  
7 period?

8 A. I did.

9 Q. Okay. When were the previous period when you  
10 held that?

11 A. I was with the City from January of 2003 to  
12 June of 2011. During that tenure, I served as Assistant  
13 City Manager, initially over budget, strategy and  
14 grants, and then was promoted in 2006 to Chief Financial  
15 Officer, literally that same job that I'm in now.

16 Q. What did you do, during the period when you  
17 weren't in the City, between them?

18 A. I started my own company, consulting company,  
19 which I continue to operate. I was Corporate Director  
20 of Productivity and Decision Support for Jackson Health  
21 Systems, so I was a County employee. And I was City  
22 Manager of the City of North Miami.

23 Q. And, then, did you leave the position at the  
24 City of North Miami to come back to the City of Miami?

25 A. I did not.

1 Q. What was in between?

2 A. I continued to run my consulting company.

3 Q. And how did it end up that you came back to the  
4 City of Miami in your current position?

5 A. City of Miami was one of my consulting clients,  
6 and my predecessor, Fernando Casamayor, left to go back  
7 to the County, and the City Manager asked me, since I  
8 was familiar with the role, to step back in the role.

9 Q. Were you happy to do that?

10 A. I love the City, so, yes.

11 Q. Have you enjoyed working for the City  
12 throughout your tenure, the various years?

13 A. Overall, yes, I'd say I have.

14 Q. Okay. All right. I do want to back up a  
15 little bit, just to go over -- you did say you've been  
16 deposed before. You're familiar with the format, with  
17 the fact that you're under oath?

18 A. Uh-huh. Sorry, yes.

19 Q. Do you have any reason you're unable to testify  
20 truthfully today?

21 A. No.

22 Q. And no medication or you ate a big lunch and --

23 A. Those red beans were good, but, you know, no  
24 reason.

25 Q. All right. And you understand that if you need

1 a break, you can ask for a break --

2 A. Absolutely.

3 Q. -- if you need me to repeat a question, all of  
4 that stuff.

5 Have you ever testified, outside the context of  
6 a deposition?

7 A. In court, yes.

8 Q. What were the circumstances of that?

9 A. Probably the biggest I can recall is the SEC  
10 matter with the City of Miami.

11 Q. Were you at trial testifying?

12 A. I testified at trial, yes.

13 Q. And that was in your role as --

14 A. At that point, I guess, as CFO, but I was no  
15 longer with the City when I was asked to testify.

16 Q. Are there other times that you've testified in  
17 trials?

18 A. Not in trials, no. No.

19 Q. Do you know the name of the case that was that  
20 SEC case?

21 A. It was SEC versus City of Miami.

22 Q. And what year was that?

23 A. I think that case finally made it to court in  
24 2013. I couldn't tell you the month. I believe that  
25 was the time frame.

1 Q. Have you ever been a party in a lawsuit?

2 A. No.

3 Q. Have you ever been a party in a criminal case?

4 A. No.

5 Q. Have you ever been arrested?

6 A. No.

7 Q. So you have no criminal background?

8 A. No.

9 Q. Do you have any professional certifications?

10 A. Yes. I'm a licensed CPA. I am a licensed real  
11 estate broker and realtor. Those are my official  
12 certifications.

13 Q. When did you obtain your CPA?

14 A. Oh, my goodness, a long, long time ago. I  
15 think, around 1999, 2000.

16 Q. Have you maintained that consistently since  
17 then?

18 A. Yes, I have.

19 Q. Are you subject to any disciplinary  
20 authorities?

21 A. Never.

22 Q. Anyone ever file a complaint against you for  
23 your CPA work?

24 A. No.

25 Q. When did you become a licensed realtor?

1 A. In June of 2020.

2 Q. Have you maintained that consistently since  
3 then?

4 A. Yes, I have.

5 Q. Are you subject to any, you know, ethical or  
6 professional standards as a realtor?

7 A. None whatsoever.

8 Q. Has anyone ever brought a complaint about you  
9 as a realtor?

10 A. Just that I sell houses really fast.

11 Q. Please, put that in.

12 And do you understand that you've been  
13 designated by the City of Miami to speak on its behalf  
14 today?

15 A. Yes.

16 Q. Are you happy about this fact?

17 A. I'm here to serve. I'm here to serve.

18 MS. MCNAMARA: Do we still have the same  
19 exhibits from before? Can I use --

20 THE REPORTER: I am going to give you all  
21 of them.

22 BY MS. MCNAMARA:

23 Q. So Plaintiffs' Exhibit 7, which I believe is  
24 the one on the bottom, the deposition notice --

25 A. Yes.



1 Q. -- do you recognize this document?

2 A. Yes, I do.

3 Q. And you've looked at it before?

4 A. Yes.

5 Q. Are you aware of which of those topics you're  
6 designated to testify for?

7 A. My understanding, I'm here to answer questions  
8 regarding the third topic.

9 Q. Can you read the third topic off of that  
10 document?

11 A. Sure. "The ordinary processes of City  
12 Commission business and administration, including the  
13 development and adoption of the annual budget."

14 Q. When did you learn that you would be testifying  
15 in this capacity?

16 A. Maybe a week ago, maybe ten days.

17 Q. What did you do to prepare for today?

18 A. Nothing.

19 Q. Is that because we're talking about what you do  
20 every day and you know it?

21 A. Yes.

22 Q. Are there other people who know more about this  
23 topic than you?

24 A. I will say, no.

25 Q. Do you have anybody who reports to you?

1 A. Yes.

2 Q. Did you talk to any of them about what they're  
3 working on, in preparation for this?

4 A. No.

5 Q. Do they give regular reports on what they're  
6 working on?

7 A. I have bi-weekly staff meetings. So it's not  
8 specific to this case, it's just in general.

9 Q. Did you meet with any other City Officials to  
10 prepare for this meeting?

11 A. Absolutely not.

12 Q. Do you regularly meet with any of the  
13 Commissioners?

14 A. At least an hour every week.

15 Q. Is that in individual sessions?

16 A. Yes.

17 Q. And that's every week, so does that mean you  
18 spend --

19 A. It could be 30 minutes, could be 45, it could  
20 be an hour and a half, but --

21 Q. And that's for --

22 A. For general business.

23 Q. And that's for each Commissioner?

24 A. Yes.

25 Q. So if we add, five Commissioners, an hour, it

1 might be five hours a week, in theory?

2 A. Yes.

3 Q. Do you meet with their staff separately?

4 A. Sometimes, yes, but generally they're in the  
5 other discussion.

6 Q. Do you work at City Hall in person?

7 A. I have two work locations, 444 Southwest 2nd  
8 Avenue, which is the administration building, and I have  
9 an office at Pan American Drive, at City Hall.

10 Q. Do you go into City Hall regularly?

11 A. I would say, probably two days a week, on  
12 average, a little bit more on a Commission week.

13 Q. Do you ever meet with the full Commission, like  
14 in a meeting, publicly?

15 A. Only at Commission Meetings.

16 Q. Have you ever spoken publicly at the meetings  
17 to the Commission in public?

18 A. Too many times to count.

19 Q. What do you generally discuss with the  
20 Commissioners in your weekly meetings?

21 A. Typically those discussions are regarding the  
22 general agenda of the City, that is, you know,  
23 forthcoming. They'll be some drill downs on, you know,  
24 specific initiatives they may have. One of the  
25 departments that reports to me is Community Development.

1 That's a department -- as an example, that's the  
2 department that oversees all of our entitlement grant  
3 funding from the Federal Government, that's the money we  
4 deploy out to the community. So, you know, each  
5 Commissioner gets to set policy around that.

6 So, you know, we specify, you know, what are  
7 their desires. We talk about how we're performing, that  
8 type of thing, for the most part.

9 Q. Do you interact with other City Officials,  
10 other than the City Commissioners?

11 A. I interact with the Mayor. I interact with  
12 the -- I still call him a City Official, the City  
13 Manager, who is my boss, I interact with the City Clerk,  
14 and I interact with the other constitutional officer,  
15 the City Attorney.

16 Q. So you stated that the City Manager is your  
17 boss. Is that your direct report, is the City manager?

18 A. Yes, it is.

19 Q. And who's that?

20 A. Art Noriega.

21 Q. And how's your relationship with him?

22 A. I'd say, very good.

23 Q. What is the nature of how you interact with him  
24 on a regular basis?

25 A. We probably talk every day, you know, or five

1 business days at least a week. I'm generally in charge  
2 of, you know, finance, budget, procurement, a lot of the  
3 internal services, in addition to asset management. So  
4 I have a number of initiatives going on. So I'll talk  
5 to him, like I said, at least once a day, if not several  
6 times a day.

7 Q. Does he dictate what you work on?

8 A. Yeah. I mean, generally, yes. He provides me  
9 with my assignments.

10 Q. Do you have any discretion on how you choose  
11 what you wish to work on?

12 A. I have a large area of responsibility, so  
13 within the context of that, no, but I do get special  
14 projects from time to time that will be, you know,  
15 assignments that he'd like for me to pursue or lead.

16 Q. Preparing for this, did you review any written  
17 documents?

18 A. I did nothing to prepare.

19 Q. Okay. Your life is your preparation for this.

20 A. I guess. I will tell you, I don't know nothing  
21 about this, but -- the subject matter, the litigation  
22 subject matter.

23 Q. Okay. So you have not looked at any court  
24 filings in this case?

25 A. No. It's not my area.

1 Q. Okay. Do you live in the City of Miami?

2 A. I do.

3 Q. Do you know what district you live in?

4 A. I live in District 2.

5 Q. What neighborhood?

6 A. Omni.

7 Q. How long have you lived there?

8 A. I've lived there now for eight years.

9 Q. Did you live in the City of Miami prior to  
10 that?

11 A. Yes.

12 Q. And where was that?

13 A. I lived in Brickell and in the Roads.

14 Q. Is that in District 3?

15 A. So, in Brickell, District 2; in the Roads, it  
16 was District 3 or it is District 3 still.

17 Q. Have you live continuously -- like when did you  
18 first move to the City of Miami?

19 A. In February of 2003, when I first joined the  
20 City.

21 Q. And where were you before then?

22 A. In South Dade, so the Colonial Drive area.

23 Q. So how did you choose to come to the City of  
24 Miami for work?

25 A. I got divorced, and the Mayor said, "We pay you

1 enough that you should be living in the City." So I  
2 found an apartment that day.

3 Q. There you go.

4 A. And never left.

5 Q. You mentioned your consulting work. Have you  
6 had professional employment for another entity, other  
7 than a government entity, in your career?

8 A. Oh, absolutely.

9 Q. What was the last private entity that you  
10 worked for?

11 A. With my consulting?

12 Q. Separate from your consulting.

13 A. Oh, last prior --

14 Q. If you were an employee.

15 A. Oh, if I was an employee? The last private  
16 employer I had was to TotalBank, which was a financial  
17 institution here, based in Miami.

18 Q. And when was that? What was the period?

19 A. That period was from 1997 until 2003 or the end  
20 of 2002.

21 Q. And what is your educational background?

22 A. I hold a Bachelor's of Science in Management,  
23 with a Major in Accounting from Tulane University, and I  
24 have matriculated through certificate programs at the  
25 University of Columbia -- or Columbia University School

1 of Engineering and Harvard School of Business.

2 Q. Do you have any advanced like degrees or  
3 certificates?

4 A. I do have a certificate in entrepreneurialship  
5 from Harvard University.

6 Q. So, going back to Topic Number 3, how often  
7 does the City Commission develop a budget?

8 A. So we -- and I'm bifurcating my answer. So we  
9 have an annual budget development process, that results  
10 in the annual budget appropriation every year, that is  
11 due -- has to be approved and forwarded to the State and  
12 the County by September 30th every year. During the  
13 fiscal year, we will have amendments to that budget from  
14 time to time, as may be necessary, but typically, at  
15 least, you know -- you'll have at least two amendments  
16 every fiscal year, a mid year, and then a close-out  
17 amendment, and then you have the original appropriation.

18 Q. The two amendments, those are planned ahead of  
19 time to happen every year?

20 A. Time-wise, yes. We know generally when we want  
21 to bring those forward.

22 Q. And what is the purpose of having those  
23 amendments?

24 A. To account for additional revenues or grants we  
25 may receive during the fiscal year and to deal with



1 additional expenditures that may need to be addressed  
2 from time to time via an appropriation action by the  
3 City Commission.

4 Q. And do you ever have other amendments, other  
5 than those, the mid year and the --

6 A. No.

7 Q. Could it come up that you needed to, if there  
8 was some significant concern about the budgeting or the  
9 finances?

10 A. Yes.

11 Q. Has that ever happened before?

12 A. In my 20 odd years of my involvement with the  
13 City, not really.

14 Q. Would you say, in general, that the City is run  
15 fiscally soundly?

16 A. I absolutely would.

17 Q. Have there ever been periods when you were  
18 concerned about that?

19 A. Yes.

20 Q. When was the last time you had a concern about  
21 that?

22 A. 2008 to 2010.

23 Q. Just generally speaking, what was the basis for  
24 that?

25 A. We were in a financial environment in this

1 country where there was a huge real estate bust. The  
2 City of Miami and the Miami region happened to be the  
3 epicenter of that. Simultaneous to that, we have two  
4 pension plans -- two, you know, employee pension plans,  
5 that were suffering losses that, by contract, the City  
6 had to fill in the gap, if you will, financially. All  
7 of that came together at one time. So we were eating  
8 into our reserves.

9 The result of that was a declaration of  
10 financial urgency by the City, which is a State  
11 designation, which allowed us to actually impose Union  
12 contracts and make changes to the pension, in order to  
13 ride through that financial kind of crisis period.

14 Q. Was the SEC case that you testified in arising  
15 out of that period of time?

16 A. Timing-wise -- no. It occurred -- it arose out  
17 of bond transactions that occurred after that time  
18 period.

19 Q. So it wasn't connected to that --

20 A. No, it was not.

21 Q. Was there ever any allegations of impropriety  
22 or mismanagement in the period of the downturn that you  
23 talked about?

24 A. No.

25 Q. It was just a matter of, everyone was suffering

1 and it was happening here?

2 A. Right. Yes.

3 Q. You talked about the updating to the current  
4 fiscal year budget. Setting that aside, what is the  
5 timeline on the annual budgeting process?

6 A. So, typically, we will start our preparation  
7 process between January and February. What that entails  
8 is us sending out communications to the various  
9 departments, please start readying yourself to, you  
10 know, make your request. We also align our strategy --  
11 general strategy, to the budget allocation. So we're  
12 asking for your goals and objectives.

13 The Budget Analyst and Budget Department, that  
14 report to me, start doing their forecasting for the next  
15 fiscal year. So they're gathering financial data from  
16 numerous sources, so that they can kind of come up with  
17 a methodical formulate means of supporting one of those  
18 forecasts.

19 Q. You say you talk to people about what you're  
20 expecting. Is that talking to the Commissioners or is  
21 that talking to the staff of the City, who are operating  
22 it?

23 A. So, typically, the commencement of that process  
24 is just talking to staff, you know, talking to police  
25 operations, fire, GSA, you know, what are, you know, our

1 car replacement needs. You know, we're literally  
2 gathering all of the information.

3 Probably, as we get into the June time frame is  
4 when we formally engage with the City Commissioners and  
5 the Mayor. By Charter, the budget is actually the  
6 Mayor's presentation. So, at that point, we have, you  
7 know -- through the City Manager, of course, we've kind  
8 of formulated what our recommendation is with regards to  
9 the millage setting, fee setting, those matters, and we  
10 present that information, initially, individually, to  
11 the Elected Officials and get their feedback. We  
12 synthesize it and then we come up with a final proposed  
13 budget that is shared with the community.

14 There is also community impact. We do public  
15 meetings. We do several of those during that process,  
16 as well, to kind of see what citizens are concerned with  
17 or what financial priorities there are, and we try to  
18 include all of that in the final proposed budget that  
19 gets presented in September for consideration and  
20 approved by the City Commission.

21 Q. And once you've submitted it in September, is  
22 it, you've handed it off to the Commission and now  
23 they're responsible for it?

24 A. At that point, by our Charter, they have line  
25 item authority to change the budget in any way, shape or

1 form they choose.

2 Q. If they do that, do they ask you to change it  
3 on their behalf?

4 A. It's a directive to the City Manager or through  
5 the City Manager, to make whatever those changes are.

6 Q. And you just completed that process for this  
7 year?

8 A. Yes, we did.

9 Q. How did that process go?

10 A. Fairly -- well, minus a couple of things that  
11 everyone knows has occurred with one of our  
12 Commissioners, it was a fairly smooth process.

13 Q. How long does it take to work out that process,  
14 starting from when you submitted it to the point --

15 A. Nine months.

16 Q. Okay. And so that's, essentially, from January  
17 1st to September 30th?

18 A. Correct.

19 Q. Do you ever finish early?

20 A. No. We were changing that final proposed  
21 literally up to an hour before the actual meeting  
22 occurred.

23 Q. When you're designing the budget, before you  
24 submit it, do you take into account potential new  
25 projects or Ordinances that the Commission is working on

1 or is it just based on what was already under the law  
2 and you were going to be doing anyway?

3 A. We try to be very forward thinking and take  
4 into account any and every input that we can. So that  
5 will include Federal law changes, State law changes,  
6 some pending, City Commission Ordinance changes,  
7 potential policy changes that they are intending to  
8 make, requests that they make, priorities that they  
9 share. So, yes, everything.

10 Q. If a Commissioner is thinking -- let's say,  
11 it's April and one of the Commissioners is thinking  
12 about trying to pursue a new initiative or create  
13 something that would have a budget impact, would you  
14 expect the Commissioner or their staff to reach out to  
15 you to discuss the potential budget impacts at that  
16 point?

17 A. Yes, but I will tell you, we're a little bit  
18 more proactive, so we're constantly going to them  
19 engaging. And when I say, "We," myself, the Manager,  
20 the Budget Director, and, you know, the staff, and, in  
21 some cases, some of my colleagues, you know, the other  
22 Assistant City Managers, as well, in their engagement  
23 with the Elected Officials in their areas.

24 Q. And that's part of what you talked about, say,  
25 the hour a week or whatever with each one?

1 A. Yes. Yes.

2 Q. You're just meeting with them and asking them  
3 what they're working on, do you have anything that's  
4 budget-wise, let's talk about it?

5 A. Right. They'll tell us.

6 Q. Do they ever ask, is this something that looks  
7 good to you or do they ask --

8 A. Well, no. They're like, I want to do this,  
9 please add it, make sure it's in the budget.

10 Q. Do they ever ask your advice?

11 A. Yeah, they do. They don't listen to it, but --

12 Q. I was going to say, do they listen to your  
13 advice?

14 A. I'm like the five-year senior in the  
15 organization. I've developed a lot of respect. I think  
16 it's earned. And so they tend to, you know, take  
17 counsel from me when it comes to financial matters.

18 Q. Do you ever tell them something, you say,  
19 "That's not a good idea" or "That's going to be a real  
20 big issue"?

21 A. As with any relationship, absolutely.

22 Q. Does that happen often?

23 A. No, not often, but it does happen.

24 Q. Have there been situations where you gave  
25 advice not to do something and they did it anyway?

1 A. Yes.

2 Q. Does it ever cause problems for you?

3 A. No.

4 Q. It just comes with the territory?

5 A. Yes.

6 Q. How much City staff work time would you say is  
7 spent on the budgeting process?

8 A. Oh, my God, thousands of hours.

9 Q. Do you have an estimate of like what percentage  
10 of the staff time, of your staff, that you oversee, that  
11 is dedicated just to the budget?

12 A. 20 people, times 1,600 hours, somewhere  
13 probably in there.

14 Q. What are the other major tasks that you and  
15 your department are responsible for, separate from  
16 budgeting?

17 A. I have finance, which is the accounting  
18 function of the City. I have community development,  
19 which is the grants entitlement. I have grants  
20 administration. I have risk management. And I'm  
21 missing -- I have procurement, and I have asset dream or  
22 asset management, the department of real estate.

23 Q. Are you involved with municipal bond offerings?

24 A. I lead every one of them myself.

25 Q. How much staff do you have that support that?



1           A.    So we have both, internal and external staff  
2 supplements.   So PFM is our financial advisor.   We  
3 engage five underwriting banks, so all of their staff,  
4 outside bond counsel, internal bond counsel, and  
5 typically I have my Finance Director and my Treasurer  
6 that work on that.

7           Q.    Is the Commission involved in the bond  
8 underwriting or issuing process?

9           A.    They're part of the process, because they  
10 provide the authorization for me to proceed with the  
11 transaction.   So there's a Commission -- so there's a  
12 bond ordinance passed for each offering.

13          Q.    How many bond offerings have you done in 2023?

14          A.    None.

15          Q.    How many have you done in 2022?

16          A.    None.

17          Q.    Is that normal?

18          A.    It can be, yes.

19          Q.    When was the last time you did a bond offering,  
20 that you recall?

21          A.    My last one was for the Marlins garage, the  
22 Marlins Stadium garage, and I think that had to have  
23 been 2010.

24          Q.    So it is not a regular occurrence every year?

25          A.    It kind of depends on what's -- you know,

1 what's happening. So, for instance, the City citizens  
2 approved a bond referendum authorizing the City to issue  
3 up to 400 million dollars in bond proceeds for four  
4 different categories. I can go issue that debt at any  
5 time, with the limitation of the millage rate I can  
6 assess in order to pay the debt service on an annual  
7 basis.

8 So, right now, and you asked about 2023, I'm  
9 doing a bond issuance in two weeks for 285 million,  
10 which was just approved by the City Commission. We are  
11 already planning to do another, at least, probably 200  
12 million of that same referendum. I'm trying to push  
13 them before the end of the calendar year, but it looks  
14 like it will be January of 2024. So it's a little wacky  
15 right now.

16 Q. Are the Commissioners involved in that?

17 A. Only with regards to prioritizing the projects  
18 that are being funded and authorizing the bond  
19 ordinance, and if we wanted to do another referendum,  
20 they would have to approve that referendum to go out to  
21 the voting constituency to be considered.

22 They're not involved in the mechanics of the  
23 actual issuance of the debt.

24 Q. Are the Commissioners involved in the oversight  
25 of the finances of the City?

1           A.    From the budgetary standpoint, policy setting,  
2   yes.   They do not get involved in the day-to-day  
3   operations.

4           Q.    Outside of the budgeting process, what specific  
5   interactions or duties do you have with the Commission  
6   that you have to work with regularly?

7           A.    I mean, I have to keep it in the context of my  
8   position. I'm an Assistant City Manager, so I assist  
9   the Manager in running the day-to-day operations of the  
10   City. So picking up garbage, policing, public safety,  
11   parks, all of that. I could be assigned to do any -- to  
12   oversee any portion of that, based on the Manager's  
13   will. So, basically, anything associated with  
14   implementing or operating any of the policy decisions  
15   that the City Commission has and directs the Manager to  
16   follow, I could be responsible for, you know,  
17   implementing or overseeing.

18          Q.    When there is a Commission -- whenever the  
19   Commission is down a Commissioner, like right now we  
20   only have four Commissioners, do you notice it in your  
21   work? Does it impact your work?

22          A.    Given that I've gone through this at the City  
23   like five or six times, no, it doesn't. We are here  
24   to -- you know, the City Commission is the board. You  
25   know, I'm the Chief Financial Officer. So we have a

1 business to run and we run the business.

2 Q. So you were in the office and doing your work  
3 in early 2023 When Commissioner Russell resigned; is  
4 that correct?

5 A. Yes, I was.

6 Q. What was the impact to your work during the  
7 period between when Commissioner Russell resigned and  
8 when Commissioner Covo took that seat?

9 A. No impact to my work.

10 Q. Has there been any impact to your work, during  
11 the current time, since Former Commissioner Diaz de la  
12 Portilla was suspended?

13 A. No impact to my work.

14 Q. Was there any period this summer, when  
15 Commissioner Carollo was unavailable, due to outside  
16 obligations?

17 A. No impact to my work.

18 Q. Is that true, in general, in these situations?

19 A. Yes, it is.

20 Q. When was the last time you recall a reduction  
21 in the number of Commissioners impacting your work in a  
22 significant way?

23 A. The period, I think it was either '08, '09,  
24 between -- the administrative change between Mayor Diaz  
25 and Mayor Regalado. We had two Commissioners removed

1 simultaneously from office, and then we had an election,  
2 a special election, and I recall, during that time, we  
3 probably had a six-week period where we couldn't  
4 actually hold a meeting, because there was a runoff. So  
5 we only had like one -- I think two duly elected,  
6 certified Commissioners, and the others were in the  
7 process, if you will. So that was the only time I  
8 recall that we just couldn't have a board meeting.  
9 Still did day-to-day operations, you know, all of that  
10 stuff did take place.

11 Q. What is the quorum requirement for the City  
12 Commission to have a meeting?

13 A. Three.

14 Q. And so as long as there are three active  
15 Commissioners, they can act and bind the Commission?

16 A. Yes.

17 Q. And that would be through a vote of two of  
18 them?

19 A. It's actually a vote of three of them.

20 Q. Like are they required to be unanimous?

21 A. No.

22 Q. It's just the three of them act, and however  
23 they get there?

24 A. Correct.

25 Q. Had there been any preparations or

1 considerations for the possibility currently, while we  
2 only we have four active Commissioners, what would  
3 happen if another one were to leave?

4 A. No. No.

5 Q. Do you have any concern that that would happen?

6 A. No.

7 Q. Since the time when that you discussed, you  
8 know, the 2008 era, when two of the Commissioners left  
9 at once, has there ever been a time when you thought  
10 that it was possible that there would be that level of  
11 disruption of the Commission?

12 A. No.

13 Q. Do you worry about that now at all?

14 A. I don't.

15 Q. What about the staff of the Commissioners,  
16 like, for example, does the staff for the District 1  
17 Commissioner stay in place when the Commissioner is  
18 gone?

19 A. As an operating concern, we do our best as, you  
20 know, I'll call it, swift management, to not disrupt  
21 those individuals, you know. Those are employees of the  
22 City, that have families and count on their paychecks,  
23 and so we leave them in place. They're still doing  
24 things. You know, they're working. They're not sitting  
25 at home. So they're working, waiting on the elected

1 position to be filled, and, you know, then, whatever  
2 decisions will be made, will be made.

3 Q. Does that staff still perform constituent  
4 services?

5 A. Yes, they do.

6 Q. Have you heard any complaints about lack of  
7 constituent services in District 1 since the  
8 Commissioner was removed?

9 A. I have not.

10 Q. Did you hear anything along those lines related  
11 to District 2, during the time between Commissioner  
12 Russell and Commissioner Covo?

13 A. I did not.

14 Q. Have you ever had concerns that you've heard  
15 expressed to you -- concerns from other people,  
16 expressed to you, about constituent services in any  
17 district in Miami?

18 A. I mean, the normal -- in the normal course of  
19 business, of course, but not in relation to someone not  
20 being there to serve -- not being present in the elected  
21 seat.

22 Q. How does the fact that it's an election year  
23 impact the work that you do with the Commission related  
24 to budget?

25 A. You know, again, I've been doing this for a

1 very long time. In my view, the only thing I've ever  
2 seen is that there tends to be more conservatism when it  
3 comes to assessment of the millage and of setting of  
4 fees. It seems there will be a prioritization of  
5 projects, you know, that we need to get them done, so  
6 there's, you know, a push to really broadcast and really  
7 show results. So that's the biggest thing I see ever.

8 Q. Was that true for this year's budgeting  
9 process?

10 A. It absolutely was.

11 Q. Do you see a difference between the  
12 Commissioners who are up for re-election and the ones  
13 who aren't, during this process, when you work with them  
14 individually?

15 A. No.

16 Q. Would you say that a Commissioner that's up for  
17 re-election is less engaged in the budgeting process  
18 than the one that isn't?

19 A. No, they're very well engaged in the budget  
20 process.

21 Q. If you didn't know it was an election year and  
22 you were just -- but you had done your job for many  
23 years and you were dropped in, would you be able to tell  
24 whether a Commissioner was up for re-election or not,  
25 based on your interactions and request --



1 A. With my eyes closed.

2 Q. You would know that they were up for  
3 re-election?

4 A. Yes.

5 Q. Is that based, you're saying, on like the  
6 conservatism of how careful they want to be with things?

7 A. That's a portion of it.

8 Q. Is it also like their body language?

9 A. No. They're very focused on constituent  
10 services. Not to say they're not focused all of the  
11 time, but there's a heightened level of focus during  
12 re-election time, because they are typically trying to,  
13 oh, yeah, I did this already, I did this already, you  
14 need to know.

15 Q. Has there ever been a situation where there was  
16 something that needed to be done in the City, you know,  
17 related to the Commission and the administration, and  
18 because it was an election year, that was unable to be  
19 done?

20 A. No.

21 Q. Is there ever anything that the Commission or  
22 the City is supposed to do, that they don't do because  
23 of what you would assess as like fear of political  
24 impacts in the election?

25 A. No.

1 Q. Would you say that the budget process runs  
2 similarly whether it's an election year or non-election  
3 year?

4 A. The process, absolutely runs the same every  
5 year.

6 Q. Do you prefer it election years or non-election  
7 years?

8 A. It doesn't matter to me. The information that  
9 I provide, the feedback that I give, is always focused  
10 on the running of the business. So I will make -- you  
11 know, not that they're always accepted, but we will make  
12 professional recommendations with regards to, again, fee  
13 setting, dollar allocations to certain things that we  
14 know need to be addressed the same way every year,  
15 regardless of whether it's an election year or not.

16 Q. Does the staffing of your department change  
17 whether it's an election year or not?

18 A. No.

19 Q. Is that true across the City?

20 A. Yes.

21 Q. There's never any, oh, it's an election year,  
22 so we need to get more people working?

23 A. No. You know, there's a hard line between  
24 their political staff and our staff. So that stuff  
25 is -- I don't even know -- that's their private stuff.

1 We have our 4,600 employees and they're here.

2 Q. Is there any impact of a special election,  
3 outside of the regular course, on this work?

4 A. No, not really. I mean, you know, other than  
5 an invoice, no.

6 Q. You haven't had an experience where, let's say,  
7 you were going to go and work on the budget, and one of  
8 the Commissioners said, you know what, I've got a  
9 special election coming up. I know no one else is  
10 dealing with it, but just don't anything, don't talk to  
11 me right now?

12 A. Never.

13 Q. They always meet with you, when you want to  
14 meet with them?

15 A. Every time.

16 Q. That's nice.

17 A. No, it's not, for the record.

18 Q. What is the procedure that the City follows  
19 before holding a public meeting?

20 A. Generally speaking, I don't know the specific  
21 mechanics, you know, of that detail. I couldn't one,  
22 two, three, four it, but there's always -- the biggest  
23 thing, there's a public notice requirement before every  
24 public meeting.

25 Q. Are you involved in that process?

1 A. Thank God, not at all.

2 Q. You don't contribute any language that gets put  
3 into it?

4 A. Never.

5 Q. That's probably good.

6 Do you see the agendas for the public meetings  
7 before they're finalized?

8 A. I'm part of a draft agenda, and this is related  
9 to the general City Commission agenda, specifically. So  
10 I see that agenda, and we review it usually 30 days  
11 before it is to be published.

12 Q. Are there any types of public meetings in which  
13 that process is not followed?

14 A. None that I'm aware of.

15 Q. Are there any like emergency justifications for  
16 not following those processes?

17 A. No. You always have to give notice. Even if  
18 it's 24 hours, you have to give notice.

19 Q. Do you consider the elections part of the  
20 ordinary business administration of the City Commission?

21 A. I consider it part of the ordinary course of  
22 the City's business, yes. It doesn't -- it is not a  
23 part of the administration's business.

24 Q. Are you involved at all in the planning of  
25 elections?

1 A. No.

2 Q. Are you involved at all in the administration  
3 of the elections?

4 A. No.

5 Q. Do you have any inside knowledge of what  
6 happens, before the rest of the public, as to what  
7 happens in elections?

8 A. No.

9 Q. You sit and watch the results just like  
10 everyone else?

11 A. Well, as a citizen of Miami, I'm a voter, so  
12 I'm being at the polls.

13 MR. JOHNSON: It's a little concerning if  
14 you see the results before the election.

15 BY MS. MCNAMARA:

16 Q. I can't imagine that you'd be like, oh, yeah,  
17 they run it by me, and I say, yeah, change it --

18 A. And, remember, that data and all of that stuff  
19 is with the County's Elections Department.

20 Q. Oh, right. Absolutely.

21 Do you have any relationships with the County  
22 in your work?

23 A. Plenty.

24 Q. What kind of interactions do you have with the  
25 County?

1           A.    I interact with my counterparts at the County  
2 quite often with regards to intergovernmental issues,  
3 typically, you know, obviously, more focused on  
4 financial matters, but could be a property or, you know,  
5 we need to do something in collaboration, because it's  
6 in the City, but it's their street. You know, it could  
7 be a number of things.

8           Q.    Are you involved in the invoicing and payment  
9 of invoice processed for the elections to the County?

10          A.    I am charged with overseeing finance, so they  
11 process the invoice.

12          Q.    Have you ever had an issue with an invoice for  
13 the City -- a City invoice from the County Elections?

14          A.    No.

15          Q.    Do you foresee that it's likely that you would  
16 ever have an issue with that?

17          A.    No.

18          Q.    How significant is the cost of running  
19 elections to the City's budget?

20          A.    Fairly minute.

21          Q.    So how much is the annual budget for this year?

22          A.    One billion sixty-eight million.

23          Q.    What was last year's budget?

24          A.    965 hundred million, so just shy of a billion.

25          Q.    What about 2021?

1 A. I don't know that one right off the top of my  
2 head.

3 Q. Would you say it's going up --

4 A. It's absolutely going up.

5 Q. Always goes up?

6 A. Yeah. Yeah, it always goes up.

7 Q. Would you attribute that to inflation or --

8 A. No. No. No. There is a natural increase in  
9 fees and costs, also, so, you know, you have to offset  
10 that. So, yes, it always goes up.

11 Q. Have you ever been told that you need to  
12 significantly lower the budget to get it back down?

13 A. People have used those words with me, but then  
14 I have to give them context, and so significant might  
15 be, I'll cut a million dollars over here, but that's not  
16 significant.

17 Q. If you had to guess the percentage of the  
18 annual budget that's dedicated to elections, what would  
19 you guess?

20 A. .0001, something like that. It's a very small  
21 number. And, remember, it's not every year, so -- and,  
22 then, we save money, I know, when we do have election  
23 cycles that fall within the County's election cycle. So  
24 that's a little bit cheaper, but, yeah, it's very  
25 insignificant.

1 Q. Is there an approval process for expenditures  
2 that need to be signed off by someone within the City?

3 A. Yeah. We use the Oracle ERP system, that has  
4 the approval hierarchies already built into the system.  
5 So say you initiated an invoice and you were a part of  
6 my organization. It will go through whatever the  
7 hierarchy is. I won't necessarily approve it. It may  
8 be -- depending on the dollar amount, it will go to your  
9 supervisor and that's all that's needed for it. If  
10 you're a manager, and that's all that's needed, or the  
11 Finance Director, that's all that's needed, but not  
12 necessarily to me.

13 I think the only expenditures I really approve  
14 on a regular basis is that of the City Manager.

15 Q. And why do you approve the expenses of the City  
16 Manager?

17 A. Because he can't approve it himself, and he's  
18 the number one person in our organization, and it can't  
19 be approved by the Elected Officials, because they're  
20 not part of the day-to-day operations.

21 Q. Are there thresholds for amounts that influence  
22 the level of approval needed?

23 A. Absolutely.

24 Q. What is the lowest threshold?

25 A. I couldn't tell you.



1 Q. What is the high threshold?

2 A. A billion dollars, whatever that appropriation  
3 is.

4 Q. Where would you put election expenses on that  
5 continuum of very small to very high?

6 A. I mean, I know it tends to be in between 200 to  
7 maybe a half million bucks, so probably not that high.

8 MS. MCNAMARA: It's approaching 3:00. Do  
9 you want to stop and talk?

10 Do you want to take a break?

11 THE WITNESS: If you need to take a caucus,  
12 I'm definitely for that, if you need to.

13 (Short recess taken.)

14 BY MS. MCNAMARA:

15 Q. So, at the earlier portion, you testified that  
16 the impact of election years on the performance of the  
17 Commission during the budgeting process mostly reflects,  
18 you know, more interesting constituent services?

19 A. Conservatism and results.

20 Q. Yeah. Are there any other impacts that you see  
21 to the budgeting process as a result of it being an  
22 election year?

23 A. No.

24 Q. In an average election year, can you tell the  
25 difference -- let's cut that off.

1 Can you tell the difference between an election  
2 year in which there's two Commissioners and the Mayor  
3 up, versus an election year where there's three  
4 Commissioners up?

5 A. No.

6 Q. What if all five of the Commissioners happen to  
7 be up for election, do you think that would change it?

8 A. It's going to be an interesting year.

9 Q. Why do you say that?

10 A. This is a personal response. You have the  
11 opportunity to have 100 percent turnover in elected  
12 officials, which would undoubtedly result in a hundred  
13 percent potential change in how policy is derived and  
14 implemented, and, you know, that would be a lot, a lot  
15 of change at one time, without having, you know, some  
16 historical, political knowledge, on the dais, and, you  
17 know, potentially some level of balance, but that's a  
18 personal thing.

19 Q. Do you think that a Commissioner whose up for  
20 re-election, and, therefore, uncertain whether they will  
21 still be in the position six months from now, behaves  
22 differently in the budget process from one who is in the  
23 middle of their term and is not concerned about whether  
24 they're going to be there in six months?

25 A. No, because, generally -- and the reason why I

1 said it doesn't change a lot, remember, this is their  
2 one and only time a year that they get to really have an  
3 impact on the operations via the money. So they can  
4 say, only hire -- I'm only going to give you money to  
5 hire five people, or they can eliminate a specific  
6 position, you know. So they're always engaged, because  
7 it's that one and only opportunity to do so, you know,  
8 the big time to do so.

9 Q. Does the presence of it being an election year  
10 negatively impact the ordinary operations of the  
11 Commission?

12 A. No.

13 Q. Is that true regardless of the number of  
14 Commissioners who are up for re-election?

15 A. Yes.

16 Q. If there happens to be all five Commissioners  
17 up for re-election, let's say, right now, in November of  
18 2023, do you think that would have negatively impacted  
19 the budgeting process that you just completed?

20 A. No.

21 Q. Do you think it would negatively impact any  
22 other administration processes that you're involved in?

23 A. I mean, I might quit, but --

24 Q. It would negatively impact you, because you  
25 would leave.

1           A.    Again, it's a personal thing.   I've been  
2 through this.   I've been a City Manager in a city.   I've  
3 gone through political change, a lot of it, here, in my  
4 tenure here.   So, for me, personally, yeah, I'll  
5 probably make some different decisions for me, but I'm  
6 also the guy who's been through five City Managers, and  
7 I've been through a lot, change-wise, not negative, but  
8 budget process-wise.   No, they're still going to, I want  
9 five of these, you know, I want two of this, I want this  
10 to happen, I want to support this CBO.   All of those  
11 things are still going to be there.   And, again, I go  
12 back to the same thing, the only thing I know generally  
13 happens is, they're very conservative with regards to  
14 the millage assessment.   By that I mean, they typically  
15 want to reduce taxes during that time, and that's what  
16 happens.   Like last year, it happened, and you saw, this  
17 year, it happened again.

18                   MS. MCNAMARA:   No further questions from  
19           us.

20                   MR. JOHNSON:   No Cross.   Read.

21                   (Thereupon, the reading and signing not  
22           being duly waived, the deposition was concluded  
23           at 3:07 p.m.)  
24  
25

1  
2  
3  
4  
5  
6  
7  
8  
9  
10  
11  
12  
13  
14  
15  
16  
17  
18  
19  
20  
21  
22  
23  
24  
25

-----  
DEPONENT

Sworn to and subscribed before me this \_\_\_\_\_  
day of \_\_\_\_\_, 2023.

-----  
NOTARY PUBLIC

CERTIFICATE OF OATH

STATE OF FLORIDA :  
SS  
COUNTY OF MIAMI-DADE:

I, NIEVES SANCHEZ, Court Reporter, and a Notary Public for the State of Florida at Large, do hereby certify that LARRY SPRING personally appeared before me and was duly sworn.

WITNESS my hand and official seal in the City of Miami, County of Miami-Dade, State of Florida, this 17th day of October, 2023.



-----  
NIEVES SANCHEZ

Notary Commission Number HH 385498  
My Notary Commission expires August 11, 2027

REPORTER'S DEPOSITION CERTIFICATE

STATE OF FLORIDA :  
SS  
COUNTY OF MIAMI-DADE:

I, NIEVES SANCHEZ, Court Reporter and a Notary Public for the State of Florida at Large, do hereby certify that I was authorized to and did report the deposition of LARRY SPRING; that a review of the transcript was requested; and that the transcript is a true and complete record of my stenographic notes.

I further certify that I am not a relative, employee, attorney, or counsel of any of the parties, nor am I a relative or employee of any of the parties' attorney or counsel, nor am I financially interested in the action.

DATED this 17th day of October, 2023.



-----  
NIEVES SANCHEZ

BAILEY & SANCHEZ COURT REPORTING, INC.  
(305) 358-2829

October 17, 2023

Larry Spring  
c/o Christopher N. Johnson  
Gray Robinson  
333 S.E. 2nd Avenue  
Suite 3200  
Miami, Florida 33131

RE: Grace, Inc. vs. City of Miami


Dear Mr. Spring:

The transcript of your deposition, taken in the above-styled cause on October 6, 2023, is at my office awaiting your examination and signature. PLEASE TELEPHONE BEFORE COMING IN so that we may arrange a convenient time.

Please be advised that unless I hear from you by November 17, 2023, I will forward the original of your deposition to the deposing attorney, as though you had read and signed your deposition.

IN THE EVENT a copy of the transcript is being sent to the witness by counsel, kindly instruct the witness to make any changes thereto on a separate sheet of paper and refer to the page number and line number which corresponds to the change desired. DO NOT MAKE THE CORRECTIONS ON THE TRANSCRIPT. If you have any questions, please call.

Very truly yours,



NIEVES SANCHEZ  
Court Reporter

cc: Caroline A. McNamara, Esq.

1  
2  
3  
4  
5  
6  
7  
8  
9  
10  
11  
12  
13  
14  
15  
16  
17  
18  
19  
20  
21  
22  
23  
24  
25

ERRATA SHEET

IN RE: GRACE, INC., ET AL. vs. CITY OF MIAMI  
DEPOSITION OF LARRY SPRING  
TAKEN OCTOBER 6, 2023

DO NOT WRITE ON TRANSCRIPT - ENTER CHANGES HERE

PAGE #	LINE#	CHANGE
--------	-------	--------

-----	-----	-----
-----	-----	-----
-----	-----	-----
-----	-----	-----
-----	-----	-----
-----	-----	-----
-----	-----	-----
-----	-----	-----
-----	-----	-----
-----	-----	-----
-----	-----	-----
-----	-----	-----

-----  
SIGNATURE